

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
BEFORE THE JOINT STANDING COMMITTEE ON INLAND FISHERIES AND  
WILDLIFE  
IN OPPOSITION  
TO L.D. 571**

**“Resolve, To Study the Need for a Standard Formula for the Horsepower of Motors  
Used on the Lakes and Ponds of the State”**

Sponsored by: Representative CRAFTS of Lisbon.

Cosponsored by: Senator DAVIS of Piscataquis  
Representatives:  
BLACK of Wilton,  
GREENWOOD of Wales,  
LONG of Sherman,  
TIMERLAKE of Turner,  
WOOD of Sabattus.

**DATE OF HEARING: March 19, 2015**

Good afternoon Senator Davis, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Andrea Erskine, Deputy Commissioner of the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to **L.D. 571.**

This bill directs IFW to form a working group to study and recommend legislation regarding the need for a standard formula for determining maximum horsepower for motorized watercraft on lakes and ponds in the State. The report back date would be Dec. 2, 2015.

Having a consistent formula for regulating the maximum horsepower for boats on inland waters would be extremely difficult given the wide range of uses, geography, and populations around inland waters. Motor size restrictions, in the past have been implemented through many different jurisdictions including through Land Use Regulation Commission (via rule making), through IFW (via rule making), through the Legislature (via statute), through Baxter State Park Authority and through the Allagash Wilderness Waterway. Many issues related to this topic involve personal values and what different people believe are acceptable levels of watercraft related activity on public waters. These are difficult issues to evaluate, and even more difficult to legislate through law or regulation.

In the early 90's the Legislature established the Great Ponds Task Force whose mission was to accomplish what this bill is trying to do. The Legislature directed the task force to develop a management strategy and guidelines for state policies on public access sites, great pond classification, conflict reduction and evaluation of the phosphorus allocation method used to make local land use decisions. Although legislation passed as a result of the task force which, for the most part restricted the use of Personal Watercraft (jet-skis) it also established a process whereby municipalities were authorized to submit recommendations for regulating surface uses on waters within their jurisdiction. Many of these are contained within statute today. It seems that this bill is attempting to re-create something similar to the Great Ponds Task Force.

If this bill were enacted, it appears that the end result of the resolve would arguably infringe upon the public's right to utilize our Great Ponds, have equal opportunity to be involved in a public process when restrictions on waters are proposed and could provide restrictions to appease a few, on water bodies that are meant to be used by all.

I would be glad to answer any questions at this time or during the work session.